

Prob 12C (10/99)

UNITED STATES DISTRICT COURT
for the
Western District of Oklahoma

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Alicia Danielle Freerksen

Case Number: CR-10-00188-002-R

Name of Judicial Officer: The Honorable David L. Russell

Date of Original Sentence: February 8, 2011

Date of Revocation Sentence: July 8, 2019

Original Offense: Possession of Child Pornography, 18 U.S.C. § 2252A(a)(5)(B)

Original Sentence: 120 months imprisonment, 5 years supervised release

Revocation Sentence: 10 months imprisonment, 5 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: April 27, 2020

Previous Court Action:

March 4, 2021 – The court issued a summons for a revocation hearing as a result of Ms. Freerksen's repeated association with convicted felons, using an unauthorized phone, and circumventing monitoring.

March 23, 2021- Ms. Freerksen appeared for a revocation hearing, stipulated to the violations, and disposition was continued until September 20, 2021.

September 16, 2021- The court dismissed the petition, and the revocation hearing was stricken as a result of Ms. Freerksen's perceived compliance.

January 25, 2022- The court was informed that Ms. Freerksen tested positive for the use of cocaine, associated with a convicted felon, and repeatedly lied about his identity.

Assistant U.S. Attorney: Brandon T. Hale

Defense Counsel: J.P. Hill

PETITIONING THE COURT

[X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

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<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Violation of Standard Condition No. 4: You must answer truthfully the questions asked by your probation officer.</u>
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On September 5, 2021, Alicia Danielle Freerksen violated this condition by providing Senior U.S. Probation Officer Leslie Terrell with a false name and date of birth for her boyfriend, who would later be identified as Toby Hill. Furthermore, she continued to lie about his identity on multiple occasions until his true identity was determined by the probation office on January 12, 2022.

2	<u>Violation of Standard Condition No. 8: You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.</u>
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Around October 2020, Ms. Freerksen violated the above condition on numerous occasions by communicating with Tevin Edmond, a person she knew to be a felon, without permission of her probation officer.

Around December 2020 to February 2021, Ms. Freerksen violated the above condition on numerous occasions by communicating with Joseph McCullar, a person she knew to be a felon, without permission of her probation officer.

From May 2021 until January 2022, Alicia Danielle Freerksen violated this condition by having repeated contact with Toby Hill, a person she knew to be a convicted felon, without permission of her probation officer.

3	<u>Violation of Mandatory Condition No. 3: You must refrain from any unlawful use of a controlled substance.</u>
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On December 16, 2021, Alicia Danielle Freerksen submitted a urine specimen that tested positive for the use of cocaine. Furthermore, on January 5, 2022, the specimen was confirmed positive for Benzoylcegonine, a cocaine metabolite, by the Abbott Laboratory using gas chromatography-mass spectrometry (GC-MS).

On April 22, 2022, Alicia Danielle Freerksen submitted a urine specimen that tested positive for the use of cocaine. Furthermore, on May 12, 2022, the specimen was confirmed positive for Benzoylcegonine, a cocaine metabolite, by the Abbott Laboratory using gas chromatography-mass spectrometry (GC-MS).

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- 4 **Violation of Special Condition:** The defendant shall participate in a program of substance abuse aftercare at the direction of the probation officer to include urine, breath, or sweat patch testing, and outpatient treatment. The defendant shall totally abstain from the use of alcohol and other intoxicants both during and after completion of any treatment program. The defendant shall not frequent bars, clubs, or other establishments where alcohol is the main business. The court may order that the defendant contribute to the cost of services rendered (copayment) in an amount to be determined by the probation officer based on the defendant's ability to pay.

On February 21 and May 11, 2022, Alicia Danielle Freerksen violated this condition when she submitted diluted urine specimens.

- 5 **Violation of Special Condition:** The defendant shall not possess or use a computer with access to any on-line computer service at any location (including place of employment) without the prior written approval of the probation officer. This includes any Internet Service provider, bulletin board system or any other public or private network or e-mail system. This condition is not a prohibition on the defendant's use of the Internet, but a restriction to use of the Internet only on device(s) that (1) are compatible with the U.S. Probation Office's monitoring technology and (2) are approved by the probation officer prior to any use, so that use of the device(s) can be monitored.

Ms. Freerksen violated the above condition when she used an unmonitored smart phone during the months of December 2020 to February 2021 on numerous occasions without the approval of her probation officer. Furthermore, on February 25, 2021, Ms. Freerksen admitted to Supervisory U.S. Probation Officer Aric Holloway to using an unauthorized smartphone during that time period.

- 6 **Violation of Special Condition:** The defendant shall consent to the U.S. Probation Officer conducting periodic unannounced examinations, without individual showing of reasonable suspicion, on any computer or mobile phone equipment used by the defendant. The examination may include assistance of other law enforcement agencies. This may include retrieval and copying of all data from the computer and any internal or external peripherals to ensure compliance with his/her conditions and/or removal of such equipment for the purpose of conducting a more thorough inspection. The defendant shall have no expectation of privacy regarding computer or mobile phone use or information stored on the computer or mobile phone. The defendant shall warn any other significant third parties that the computer(s) may be subject to monitoring. Any attempt to circumvent monitoring and examination may be grounds for revocation.

In February 2021, Ms. Freerksen violated the above condition when she

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circumvented monitoring and examination of a mobile phone by destroying and discarding it. Furthermore, on February 25, 2021, Ms. Freerksen admitted to Supervisory U.S. Probation Officer Aric Holloway to destroying the mobile phone prior to examination.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be revoked.
☐ Extended for years, for a total term of years.
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 31, 2022



Leslie Terrell
Senior U.S. Probation Officer

Reviewed by,



Aric Holloway
Supervisory U.S. Probation Officer

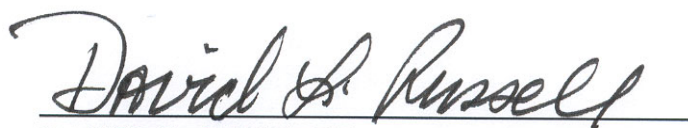
Date: May 31, 2022

THE COURT ORDERS

- ☐ No action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other

June 1, 2022

Date



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE

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